

**REMARKS**

Claims 16-30 were previously pending in the application. This Amendment amends claims 16, 21, 22, 25, 26, and 30 and claim 17 is canceled. Claims 18-20, 23, 24 and 27-29 remain unchanged. New claims 31-35 are added. Claims 16 and 26 are independent.

**The Claimed Invention**

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 16, is directed to a thick-film heating device for fluids for mounting in a continuous heating device, comprising at least one thick-film heating element including an electric resistance heater, at least one heat transmission element which is connected in a heat-conducting manner to the thick-film heating element and the fluid so as to transfer the heat generated by the thick-film heating element to the fluid, and a power control device that initiates one of a continuous and an almost continuous control of the thick-film heating element, wherein the power control is carried out by one of a phase-angle and a pulse pause modulation.

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 26, is directed to a household appliance comprising an item handling means for handling items, and a thick-film heater for supplying heat relative to the items being handled, the thick-film heater for mounting in a continuous heating device and including at least one thick-film heating element including an electric resistance heater, at least one heat transmission element which is connected in a heat-conducting manner to the thick-film heating element and the fluid so as to transfer the heat generated by the thick-film heating element to the fluid, and a power control device for initiating one of a continuous and an almost continuous control of the thick-film heating element, wherein the power control is carried out by one of a phase-angle and a pulse pause modulation.

In this manner, the present invention provides a thick-film heater, a continuous heating device and a household appliance having a standard construction for different

countries with different mains voltages and which allows energy-saving heating of the fluid in a simple and cost-effective structure.

**The Rejections under 35 U.S.C. § 102**

In the Office Action, claims 16-22, and 24-30 are rejected under 35 U.S.C. 102(b) as being anticipated by the Dennis et al reference (US 5,557,704).

Applicants respectfully traverse this rejection.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. [...] The identical invention must be shown in as complete detail as is contained in the ... claim." M.P.E.P. § 2131.

This amendment amends independent claim 16 to include the features of claim 17. Independent claim 16 recites a power control device that initiates a continuous or almost continuous control of the thick-film heating element, wherein the power control is carried out by one of a phase-angle and a pulse pause modulation.

As explained above, these features are important for providing a thick-film heater, a continuous heating device and a household appliance having a standard construction for different countries with different mains voltages and which allows energy-saving heating of the fluid in a simple and cost-effective structure.

The Dennis et al reference very clearly does not disclose these features.

The Office Action alleges only that the Dennis et al reference discloses a thick film heating device for use in a domestic appliance comprising a thick film heating element, a stainless steel heat transmission element, a triac as a power control device, a cooling device, a contacting device, a fluid chamber, and a moulded part with an inlet and outlet. Citing column 3, line 56-column 4, line 55; column 6, line 25-column 7, line 64; Figures 1, 7, 8, and 11.

Applicants respectfully submit that the Office Action fails to establish or provide any support for the teaching of a power control device that initiates a continuous or almost continuous control of the thick-film heating element, wherein the power control is

carried out by one of a phase-angle and a pulse pause modulation, as claimed. Therefore, the Office Action fails to establish a prima facie case of anticipation at least with respect to these claimed features.

Moreover, the Dennis et al reference very clearly fails to explicitly disclose at least a power control device that initiates a continuous or almost continuous control of the thick-film heating element, wherein the power control is carried out by one of a phase-angle and a pulse pause modulation, as recited in claim 16. Instead, the Dennis et al reference is completely silent in this respect.

Thus, the Dennis et al reference clearly fails to explicitly disclose a power control device for initiating a continuous or almost continuous control of the thick-film heating element, wherein the power control can be carried out by means of phase-angle or pulse pause modulation, as recited in claim 16.

Independent claim 26 recites somewhat similar features as independent claim 16. The Dennis et al reference clearly fails to disclose all of the features of independent claim 16 for at least the same reasons as independent claim 16.

As explained above, these features are important for providing a thick-film heater, a continuous heating device and a household appliance having a standard construction for different countries with different mains voltages and which allows energy-saving heating of the fluid in a simple and cost-effective structure.

Applicants respectfully request withdrawal of this rejection.

### **The Rejections under 35 U.S.C. § 103**

In the Office Action, claim 23 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Dennis et al reference in view of the Lorenz et al reference (US 4,864,106). Applicants respectfully traverse this rejection.

Applicants respectfully submit that none of the applied references discloses or suggests the features of the claimed invention including a power control device for initiating a continuous or almost continuous control of the thick-film heating element,

wherein the power control can be carried out by means of phase-angle or pulse pause modulation, as recited in claim 16.

As explained above, these features are important for providing a thick-film heater, a continuous heating device and a household appliance having a standard construction for different countries with different mains voltages and which allows energy-saving heating of the fluid in a simple and cost-effective structure.

For at least the reasons set forth above, the Dennis et al reference very clearly does not teach or suggest these features.

The Lorenz et al reference does not remedy the deficiencies of the Dennis et al reference with respect to independent claim 16. Indeed, the Office Action does not rely on the Lorenz et al reference for the teaching of these features. The Lorenz et al reference is completely silent with respect to at least a power control device as claimed.

Thus, none of the applied references discloses or suggests the subject matter defined by independent claim 16 from which claim 32 depends.

Applicants respectfully request withdrawal of this rejection.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 16 and 18-35 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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